

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

RALPH HAMILTON,

Plaintiff,

vs.

FORT PECK TRIBAL JAIL,

Defendants.

CV 16-00068-GF-BMM-JTJ

ORDER

On June 17, 2016, Plaintiff Ralph Hamilton submitted a document which the Court construed as a civil complaint. (Doc. 1.) Mr. Hamilton did not pay the filing fee or submit a motion to proceed in forma pauperis with his filing. On June 20, 2016, the Clerk of Court's Office sent Mr. Hamilton a letter advising him of this requirement. Mr. Hamilton did not respond. On July 8, 2016, the Court issued an Order requiring Mr. Hamilton to either pay the statutory filing fee of \$400.00 or submit a motion to proceed in forma pauperis on or before August 12, 2016. (Doc. 3.) Again, Mr. Hamilton did not respond.

In order to institute a civil action in federal court, a plaintiff must either pay a filing fee of \$400.00 as required by 28 U.S.C. § 1914(a) or file a motion to proceed in forma pauperis under 28 U.S.C. § 1915. Here, no case has been initiated because Mr. Hamilton has submitted neither the filing fee nor a motion to

proceed in forma pauperis. Mr. Hamilton's Complaint has not been filed, it was simply lodged with the Court.

ACCORDINGLY, the Clerk of Court is directed to terminate all pending motions and close this matter.

DATED this 3rd day of October 2016.

/s/ John Johnston
John Johnston
United States Magistrate Judge